

**Offices of Arizona State Parks  
1300 W. Washington St.  
Phoenix, AZ**

Chair Baier called the meeting to order at 11:07am.

Board Members Present: Maria Baier, Chair  
John Graham  
Christopher McNichol  
Jeff Swango

(Note: The CAB is awaiting appointment of two more members.)

Board Members Absent: Taber L. Anderson

Staff Members Present: Jay Ziemann, Assistant Director  
Doris Pulsifer, Chief of Grants  
Dan Shein, Chief of Resource Management  
Genevieve Johnson, Open Space Planner  
Nathan Fidel, Assistant Attorney General representing ASP  
Ruth Shulman, Advisory Group Coordinator

**B. INTRODUCTION OF MEMBERS AND STAFF**

Members and Staff introduced themselves.

**C. ELECTION OF VICE CHAIR**

Mr. Graham nominated Mr. McNichol for the position of Vice-Chair. Mr. Swango seconded the nomination, which carried with no further discussion.

**D. NEW MEMBER ORIENTATION/REVIEW OF THE ARIZONA OPEN MEETING LAW AND CONFLICT OF INTEREST LAW**

Assistant Attorney General Nathan Fidel presented an overview of the Arizona Open Meeting Law and the Conflict of Interest Law. Questions or clarifications of how either law pertain to CAB in specific situations should be directed to Mr. Fidel or to Ms. Joy Hernbrode, who also represents Arizona State Parks as an Assistant Attorney General.

**E. GENERAL OVERVIEW OF THE GROWING SMARTER STATE TRUST LAND ACQUISITION GRANT FUND PROGRAM**

Ms. Pulsifer gave a PowerPoint presentation of the Growing Smarter State Trust Land Acquisition Grant Fund program. (Copy of the presentation available to the public on request.) The funds made available to the Growing Smarter program derive from the Land Conservation Fund. The purpose of the Growing Smarter program is to make funding available to purchase suitable land for conservation in areas that are experiencing rapid growth. Through Proposition 303, the public mandated an annual appropriation of \$20 million. Of that sum, \$2 million goes to the Livestock and Crop Conservation Fund and \$18 million is made available to the Growing Smarter program. For the current cycle there is approximately \$95 million available for grants.

**F. GRANT APPLICATIONS PRESENTATION**

Ms Pulsifer noted that there was \$95 million available for this grant cycle. There is a statutory limitation of 50% of the available funds for any one county. The City of Phoenix made two separate applications therefore there is \$47,612,000 available for disbursement this cycle. The City of Phoenix is requesting a total of \$47,600,000 for Priority 1 and Priority 2 parcels in the Phoenix Sonoran Preserve, conditioned upon appraisals, and the parcel sizes being approved by the State Land Commissioner.

If these applications are approved, that will leave a remaining balance for the next grant cycle of \$47,625,976 plus the annual appropriation of \$18 million and interest earned.

The first application to be considered is the Priority 1 parcel of 862 acres. It was appraised in March of 2007, and is up for auction November 8, 2007. The Priority 2, Phase I parcel has an appraisal due in February of 2008. The Staff recommendation includes language making the approval contingent on receiving the appraisal.

The Priority 1 parcel application contains a 50/50 match, and the grant request is \$38,900,000. The Priority 2 parcel application is “overmatched” at 80/20, because of the limit on funds going to one county. The grant request for the Priority 2 application is \$8,700,000. Priority 1 is just under 862 acres; Priority 2 is 490 acres.

Ms. Pulsifer noted that Staff is recommending approval of both applications, with the approval of the Priority 2 parcel being contingent on the pending appraisal.

Chair Baier asked for clarification of the purpose of a motion, as far as voting to approve the application. The agenda item noted that the CAB would consider Staff’s recommendation. The motion would then reflect the Board’s consideration of the recommendation and their concurrence with the recommendation, which would then be forwarded to the Arizona State Parks Board for final action. Chair Baier also noted that she is a candidate for the City Council of Phoenix, which she does not believe constitutes a conflict of interest. Mr. Fidel concurred.

Chair Baier called for the motion. Mr. McNichol moved that the two grant projects be approved for funding at \$47,600,000, to the City of Phoenix for the following: \$38,900,000 for the Phoenix Sonoran Preserve – Priority 1, and \$8,700,000 for the Phoenix Sonoran Preserve – Priority 2, provided the City is the highest and best bidder at public auction. The final grant amount will be based on the Arizona State Land Department (ASLD) final appraisal value of the parcel, agreed upon by the City of Phoenix, plus no more than 10% for eligible associated costs. The grant award may not exceed \$47,600,000. Approval of the award is contingent upon the appraised land value being finalized before December 31, 2007, and further moved that this recommendation be forwarded to the Arizona State Parks Board for final action.

Ms. Pulsifer noted that the final appraisal is expected in early 2008. Mr. McNichol amended the motion to change the appraisal due date to March 30, 2008. Following discussion with a representative of the City of Phoenix, the motion was further amended to change the date of the appraisal being finalized before April 30, 2008. Mr. Graham seconded the motion as amended. The motion carried with no further discussion. The recommendation will go to the Parks Board for final action.

#### **G. CALL TO THE PUBLIC**

No public comment.

#### **H. SUMMARY OF CURRENT EVENTS, MATTERS OF BOARD PROCEDURE, REQUESTS AND ITEMS FOR FUTURE AGENDA**

One item for a future agenda is Mr. Taber Anderson's request, made through Ms. Pulsifer, that CAB consider a goals and objectives discussion to help guide the group. Ms. Pulsifer will collect via eMail any ideas for the suggested meeting from CAB members and coordinate a date if the Board prefers. Mr. McNichol noted that he knew one of Mr. Anderson's questions was about the statutory preference for purchase over lease for these grant funds. Further discussion followed on sending an eMail to CAB to set the purpose of an additional meeting, and the desired accomplishments. This message will come from Staff, and will also ask about what dates and times members are available. The Board eventually decided that Mr. Anderson's concerns be addressed at the next meeting, rather than have a separate meeting.

Chair Baier asked that a future agenda item be a vote on allowing members to participate via telephone, which should help guarantee a quorum and reduce travel time for "outlying" members.

#### **I. TIME AND PLACE OF NEXT MEETING**

Ms. Shulman will provide CAB with five dates around early February to help determine member availability for a meeting prior to the workshop sessions in March for the next grant cycle.

#### **J. ADJOURNMENT**

Chair Baier adjourned the meeting at 12:14pm.